

# Exhibit A

**Texas v. Biden Monthly Report****Reporting Period: March 1, 2022 – March 31, 2022****(1) The total monthly number of encounters<sup>1</sup> at the southwest border (SWB);**

Encounter data includes U.S. Border Patrol (USBP) Title 8 Apprehensions<sup>2</sup> between the ports of entry along the SWB, Office of Field Operations (OFO) Title 8 Inadmissibles<sup>3</sup> at land ports of entry along the SWB, and Title 42 Expulsions<sup>4</sup> at and between the ports of entry along the SWB.

<b>March 2022 as of April 6, 2022</b>	<b>Title 42</b>	<b>Title 8</b>	<b>Total Encounters</b>
<b>Office of Field Operations</b>	<b>2,400</b>	<b>8,997</b>	<b>11,397</b>
El Paso Field Office	198	856	1,054
Laredo Field Office	1,105	2,026	3,131
San Diego Field Office	847	5,612	6,459
Tucson Field Office	250	503	753
<b>U.S. Border Patrol</b>	<b>107,149</b>	<b>102,757</b>	<b>209,906</b>
Big Bend Sector	2,937	716	3,653
Del Rio Sector	15,593	26,028	41,621
El Centro Sector	3,947	3,619	7,566
El Paso Sector	15,900	9,714	25,614
Laredo Sector	12,486	1,293	13,779
Rio Grande Valley Sector	20,703	23,370	44,073
San Diego Sector	12,495	4,165	16,660
Tucson Sector	21,433	5,800	27,233
Yuma Sector	1,655	28,052	29,707
<b>Grand Total</b>	<b>109,549</b>	<b>111,754</b>	<b>221,303</b>

<sup>1</sup> The sum of Title 8 apprehensions/inadmissible aliens and expulsions.

<sup>2</sup> Apprehension refers to the physical control or temporary detainment of a person who is not lawfully in the U.S. which may or may not result in an arrest.

<sup>3</sup> Inadmissible refers to individuals encountered at ports of entry who are seeking lawful admission into the United States but are determined to be inadmissible, individuals presenting themselves to seek humanitarian protection under our laws, and individuals who withdraw an application for admission and return to their countries of origin within a short timeframe.

<sup>4</sup> Expulsions refers to individuals encountered by USBP and OFO and expelled to the country of last transit or home country in the interest of public health under Title 42 U.S.C. 265.

## (2) The total monthly number of aliens expelled under Title 42, Section 1225, or under any other statute;

- *Title 42 expulsions at and between the ports of entry along the SWB<sup>5</sup>*

<b>March 2022 as of April 6, 2022</b>	<b>Title 42</b>
<b>Office of Field Operations</b>	<b>2,400</b>
El Paso Field Office	198
Laredo Field Office	1,105
San Diego Field Office	847
Tucson Field Office	250
<b>U.S. Border Patrol</b>	<b>107,149</b>
Big Bend Sector	2,937
Del Rio Sector	15,593
El Centro Sector	3,947
El Paso Sector	15,900
Laredo Sector	12,486
Rio Grande Valley Sector	20,703
San Diego Sector	12,495
Tucson Sector	21,433
Yuma Sector	1,655
<b>Grand Total</b>	<b>109,549</b>

- *Southwest Land Border Removals/Returns under Title 8, based on encounter date<sup>6</sup>*

<b>Total Removals and Returns Under Title 8</b>	<b>March 2022</b>
<b>U.S. Border Patrol</b>	<b>10,071</b>
Bag and Baggage <sup>7</sup>	58
Voluntary Return <sup>8</sup>	3,012
Expedited Removal	3,733
Reinstatement of Removal	2,368
Returns Pursuant to 8 U.S.C. § 1225(b)(2)(C)	900
<b>Office of Field Operations</b>	<b>1,999</b>
Bag and Baggage	2
Voluntary Return	79
Expedited Removal	472
Reinstatement of Removal	3
Withdrawal of Application for Admission	1,443

<sup>5</sup> Same as Title 42 expulsion data provided in response to 1 above.

<sup>6</sup> Indicates that the noncitizen was encountered during the reporting period (March 1, 2022 – March 31, 2022).

<sup>7</sup> When a noncitizen encountered or apprehended by CBP has been previously ordered removed by an immigration judge and the order was never executed (i.e., in absentia). The removal order may be immediately executed by CBP or CBP may turn the noncitizen over to ICE for removal.

<sup>8</sup> Constitutes a request by a non-citizen to be permitted to return to their country of citizenship on a voluntary basis, in lieu of being formally removed or placed into removal proceedings.

Returns Pursuant to 8 U.S.C. § 1225(b)(2)(C)	
<b>Grand Total</b>	<b>12,070</b>

**(3) Defendants' total detention capacity as well as current usage rates;***OFO Holding Capacity – Southwest Border in Custody<sup>9</sup>*

<b>Detention Capacity</b>	<b>March 2022</b>
935	229 (24.5%) <sup>10</sup>

*USBP Average Daily Subjects In Custody by Southwest Border Sector<sup>11</sup>*

<b>USBP Sector</b>	<b>March 2022</b>
<b>Big Bend</b>	30
<b>Del Rio</b>	2,066
<b>El Centro</b>	359
<b>El Paso</b>	1,456
<b>Laredo</b>	966
<b>Rio Grande</b>	3,468
<b>San Diego</b>	936
<b>Tucson</b>	761
<b>Yuma</b>	2,495
<b>Total</b>	<b>12,537</b>

<sup>9</sup> Represents an estimate of each cell's coded occupancy limit, as outlined in technical design standards when constructed, multiplied by the total number of cells for all ports of entry within each field office. This number does not account for the unique circumstances that may limit the occupancy of a given cell (e.g., high risk, nursing/pregnant, transgender, unaccompanied minor, etc.) nor does it reflect operational limitations that affect a port's capacity to detain. CBP's capacity to detain individuals in its short-term facilities depends on many factors, including: demographics of the individual in custody; medical or other needs of individuals in custody; ability of ICE ERO (or, if an unaccompanied child, the U.S. Department of Health and Human Services) to transfer individuals out of CBP custody; and OFO's available resources to safely process and hold individuals.

<sup>10</sup> Represents the average number of travelers in custody on a daily basis averaged over the number of days in the calendar month, at all Southwest Border Field Office locations. Travelers include inadmissible individuals, lawful permanent residents, asylees, refugees, and United States Citizens who are being detained to verify wants, warrants, criminal, administrative or other judicial process.

<sup>11</sup> U.S. Border Patrol facilities, such as stations and central processing centers, provide short-term holding capacity for the processing and transfer of individuals encountered by agents. Maximum facility capacity along the southwest border is approximately 5,000, which assumes a homogenous population and full operating status at all facilities. Actual capacity fluctuates constantly based on characteristics of in-custody population, to include demographics, gender, criminality, etc. The average percentage of subjects in custody on a daily basis is 244%, which is averaged over the number of days in the calendar month and includes all Southwest Border Sector locations.



(4) The total monthly number of “applicants for admission”<sup>12</sup> under Section 1225;

<b>March 2022 as of April 6, 2022</b>	<b>Title 8</b>
<b>Office of Field Operations</b>	<b>8,997</b>
El Paso Field Office	856
Laredo Field Office	2,026
San Diego Field Office	5,612
Tucson Field Office	503
<b>U.S. Border Patrol</b>	<b>102,757</b>
Big Bend Sector	716
Del Rio Sector	26,028
El Centro Sector	3,619
El Paso Sector	9,714
Laredo Sector	1,293
Rio Grande Valley Sector	23,370
San Diego Sector	4,165
Tucson Sector	5,800
Yuma Sector	28,052
<b>Grand Total</b>	<b>111,754</b>

(5) The total monthly number of “applicants for admission” under Section 1225 paroled into the United States; and

<b>Southwest Border Paroles</b>	<b>March 2022 Paroles</b>
<b>U.S. Border Patrol</b>	<b>24,753</b>
Parole Disposition	24,753
<b>Office of Field Operations</b>	<b>9,565</b>
NTA and Paroled into the U.S. on a case-by-case basis pursuant to 8 U.S.C. § 1182(d)(5)	6,069
Parole Disposition	3,496
<b>Grand Total</b>	<b>34,318</b>

<sup>12</sup> An applicant for admission is defined as “[a]n alien present in the United States who has not been admitted or who arrives in the United States (whether or not at a designated port of arrival and including an alien who is brought to the United States after having been interdicted in international or United States waters).” 8 U.S.C. § 1225(a)(1). Thus, an applicant for admission may include noncitizens that have never been encountered by CBP. At this time, CBP does not have a mechanism to track all applicants for admission in the United States that are not encountered by CBP. CBP has included the same data as the Title 8 encounter data provided in response to 1 above.

(6) The total monthly number of “applicants for admission” under Section 1225 released into the United States, paroled or otherwise.”<sup>13</sup>

<b>Southwest Border Releases</b>	<b>March 2022 Releases</b>
<b>U.S. Border Patrol</b>	<b>56,206</b>
Notice To Report <sup>14</sup>	
Notice to Appear - Order of Release on Recognizance	31,453
Parole Disposition	24,753
<b>Office of Field Operations</b>	<b>9,565</b>
NTA and Paroled into the U.S. on a case-by-case basis pursuant to 8 U.S.C. § 1182(d)(5)	6,069
Parole Disposition	3,496
<b>Grand Total</b>	<b>65,771</b>

<sup>13</sup> All numbers in reporting requirement 6 are “based on encounter date,” as defined above.

<sup>14</sup> Individuals who are screened by CBP, and after criminal and immigration records checks are conducted to determine if the subject is a threat to national security or public safety, are then released and instructed to report to U.S. Immigration and Customs Enforcement (ICE) for continued processing.